

Court of Appeals, State of Michigan

ORDER

PEOPLE OF MI V RONALD LEWIS RUSSELL

Docket No. 284777

LC No. 06-001949-FC

Michael J. Talbot
Presiding Judge

Kurtis T. Wilder

Karen M. Fort Hood
Judges

In accordance with the January 9, 2009 remand order of the Supreme Court (___ Mich ___, 759 NW2d 23 [Docket No. 137330]), this Court has reconsidered defendant's application for leave to appeal as it pertains to the issue of reimbursing court-appointed attorney costs and, pursuant to MCR 7.205(D)(2), in lieu of granting leave to appeal, we REMAND this case to the Kalamazoo Circuit Court to determine the extent to which court-appointed counsel assisted defendant with his defense and to reconsider defendant's present and future ability to pay attorney fees, and in what amount, in light of the holding in *People v Trapp (On Remand)*, 280 Mich App 598 (2008). With respect to defendant's challenge to the length of his sentence, this Court's July 30, 2008 order denying his application for leave to appeal remains the law of the case and so the sentence is AFFIRMED.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

MAR - 2 2009
Date

Sandra Schultz Mengel
Chief Clerk